

Application No.: 09/388,726

Docket No.: SPINE 3.0-029

IN THE CLAIMS

1. (cancelled)
2. (previously amended) The corpectomy device of claim 41, wherein said locking clip includes at least one depression and said second member includes at least one ridge engagable in said at least one depression for locking said first member and said second member in a relative position with respect to one another.
3. (previously amended) The corpectomy device of claim 41, wherein said locking clip and said second member include interengaging threads for locking said first member and said second member in a relative axial position with respect to one another.
4. (previously amended) The corpectomy device of claim 3 wherein said locking clip is rotatably mounted on said first member for rotation into and out of engagement with said threads.
5. (previously amended) The corpectomy device of claim 41, wherein said first member comprises a hollow member, said first member and said second member defining a chamber therebetween.
6. (original) The corpectomy device of claim 5, wherein said second member is slidably and telescopingly received in a passageway of said first member for movement in said axial direction.
7. (original) The corpectomy device of claim 6, wherein said first member and said second member have a common, longitudinal axis and said locking clip is translatably movable to said locked position in a direction transverse to said axis.
8. (cancelled)

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E1 8.8. (amended) The corpectomy device of claim 6, wherein said locking clip includes a first bore and said first member includes a corresponding hole, said first bore and hole being engagable by a screw for locking the position of said locking clip in its locked position.

10. (original) The corpectomy device of claim 6, wherein said first member and said second member include perforations for permitting ingrowth of bone, blood vessels and other tissue.

11. (previously amended) The corpectomy device of claim 41 wherein said first member comprises a hollow member having a longitudinal axis and perforations for permitting ingrowth of bone, blood vessels and other tissue, said second member moveable in an axial direction with respect to said first member and having perforations for permitting ingrowth of bone, blood vessels and other tissue, said second member defining a chamber with said first member for movement in said axial direction; and said perforations include:

i) elongated perforations extending in the axial direction on one of said first member and said second member; and

ii) substantially circular perforations on the other of said first member and said second member.

12. (original) The corpectomy device of claim 6, wherein:

a) at least one of said first member and said second member include an aperture providing access to said chamber for packing said chamber with material encouraging the growth of bone, blood vessels and other tissue.

13. (original) The corpectomy device of claim 6, wherein:

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a) said second member and said first member have outer axial ends with outwardly extending flanges including teeth on a surface thereof for engaging bone.

14. (previously amended) A corpectomy device, comprising:

a) a first member comprising a hollow member having a longitudinal axis, a polygonal passage, and an outer axial end with an outwardly extending flange including teeth on a surface thereof for engaging bone;

b) a second member moveable in an axial direction with respect to said first member and having a polygonal cross-section and an outer axial end with an outwardly extending flange including teeth on a surface thereof for engaging bone, said second member defining a chamber with said first member and being slidably and telescopingly received in the polygonal passageway of said first member for movement in said axial direction; and

c) a locking clip engagable with said first member and said second member and moveable between a first unlocked position and a second locked position for locking said first member and said second member in a relative axial position with respect to one another;

said flanges being disposed at an acute angle with respect to said longitudinal axis.

15. (original) The corpectomy device of claim 6, wherein said second member comprises an inner tubular member and said first member comprises an outer tubular member having a passage for engaging said inner tubular member, said inner tubular member being telescopingly disposed within said outer tubular member.

16. (cancelled)

17. (cancelled)

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18. (original) The corpectomy device of claim 15, wherein said inner tubular member has an outer surface including first surface portions and second surface portions.

~~17~~ 19. (currently amended) A corpectomy device, comprising:

a) ~~a first~~ an outer member comprising a hollow, ~~outer~~ tubular member having a longitudinal axis and a passage;

b) ~~a second~~ an inner member comprising ~~an inner~~ a tubular member moveable in an axial direction with respect to said ~~first~~ outer member and having an outer surface including ~~first surface portions~~ protrusions and ~~second surface portions~~ recesses said ~~second~~ inner member defining a chamber with said ~~first~~ outer member and being slidably and telescopingly received in said passage of said ~~first~~ outer member for movement in said axial direction; and

E2 c) a locking clip engagable with said ~~first~~ outer member and said ~~second~~ inner member and moveable between a first unlocked position and a second locked position for locking said ~~first~~ outer member and said ~~second~~ inner member in a relative axial position with respect to one another, said locking clip having an inner surface defining an aperture, said inner surface including ~~third surface portions~~ indentations and ~~fourth surface portions~~ extensions, said ~~third surface portions~~ indentations being shaped to correspond to said ~~first surface portions~~ protrusions so that said inner tubular member is telescopingly received in said passage when said ~~locking clip is in its~~ indentations are aligned with said ~~unlocked position~~ protrusions.

~~22~~ 20. (currently amended) A corpectomy device, comprising:

a) a first member comprising a hollow, outer tubular member having a longitudinal axis and a passage;

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b) a second member comprising an inner tubular member moveable in an axial direction with respect to said first member, said second member defining a chamber with said first member and being slidably and telescopingly received in said passage of said first member for movement in said axial direction; and

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c) a locking clip engagable with said first member and said second member and moveable between a first unlocked position and a second locked position for locking said first member and said second member in a relative axial position with respect to one another, said locking clip having an inner surface including ~~third~~ first surface portions and ~~fourth~~ second surface portions, each being curvilinear and having different radii of curvature.

21. (original) The corpectomy device of claim 19, wherein said outer surface of said inner tubular member defines a substantially square cross-sectional shape, including sides comprising said second surface portions and rounded corners comprising said first surface portions.

22. (original) The corpectomy device of claim 21, wherein said inner surface on said locking clip includes circular surface portions comprising said fourth surface portions and rounded corners comprising said third surface portions so that said rounded corners on said locking clip are aligned with said rounded corners on said inner tubular member when said locking clip is in its unlocked position.

23. (original) The corpectomy device of claim 22, wherein said circular surface portions on said locking clip and said rounded corners on said inner tubular member include ridges for locking said inner tubular member and said outer tubular member in a relative position with respect to one another when said locking clip is in its locked position.

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24. (original) The corpectomy device of claim 22, wherein said circular surface portions on said locking clip and said rounded corners on said inner tubular member include interengaging threads for locking said inner tubular member and said outer tubular member in a relative position with respect to one another.

23-25. (currently amended) A corpectomy device, comprising:

a) a first member comprising a hollow, outer tubular member having a longitudinal axis and a passage;

b) a second member comprising an inner tubular member moveable in an axial direction with respect to said first member, said second member defining a chamber with said first member and being slidably and telescopingly received in said passage of said first member for movement in said axial direction; and

c) a locking clip engagable with said first member and said second member and moveable between a first unlocked position and a second locked position for locking said first member and said second member in a relative axial position with respect to one another;

said locking clip having an inner surface defining an aperture, said aperture including at least two inner surface portions that do not engage said second member when said locking clip is in said second locked position.

said outer tubular member including a wall having an inner surface defining said passage and an outer surface, said outer surface defining a cross-sectional shape different from across-sectional shape of said inner tubular member and said passage.

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26. (previously amended) The corpectomy device of claim 41 wherein said first member comprises a hollow, outer tubular member having a longitudinal axis and a passage, said second member comprises an inner tubular member moveable in an axial direction with respect to said first member, said second member defining a chamber with said first member and being slidably and telescopingly received in said passage of said first member for movement in said axial direction; and said outer tubular member including a wall having an inner surface defining said passage and an outer surface, said outer surface defining a circular cross-sectional shape.

27. (original) A corpectomy device, comprising:

- a) an inner member having a polygonal shape including corners;
- b) an outer member having a polygonal passage sized and shaped so that said inner member is telescopingly and non-rotatably received in said outer member so that said inner member and said outer member have a longitudinal axis;
- c) a movable locking clip having an inner surface defining an aperture including corners and locking portions, said locking clip being rotatably mounted on said outer member so that said locking clip is limited in axial movement on said outer member; and
- d) mating surfaces on said locking portions and said corners of said inner member for interengagement to prevent axial movement between said locking clip and said inner member.

28. (original) The corpectomy device of claim 27, wherein said mating surfaces comprise threads on said locking portions and said corners of said inner member.

29. (original) The corpectomy device of claim 27, wherein said outer member includes a slot and said locking clip

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includes a pin mounted on said locking clip and extending through said slot for limiting the axial movement of said locking clip.

30. (original) The corpectomy device of claim 29, wherein said pin extends through said slot to limit the rotational movement of said locking clip.

31. (original) The corpectomy device of claim 27, wherein said outer member includes a hole and said locking clip includes a corresponding hole, said hole on said outer member and said hole on said locking clip being engageable with a set screw for fixing the relative position of said locking clip and said outer cylinder with respect to each other.

32. (original) The corpectomy device of claim 27, wherein:

a) said inner member includes a radially extending first flange on an outer axial end of said inner member, said first flange including teeth on a surface of said first flange for engaging bone; and

b) said outer member includes a radially extending second flange on an outer axial end of said outer member, said second flange including teeth on a surface of said second flange for engaging bone.

33. (original) The corpectomy device of claim 32, wherein said first flange and said second flange are disposed at an acute angle with respect to said longitudinal axis.

34. (cancelled)

35. (cancelled)

36. (cancelled)

37. (cancelled)

38. (cancelled)

39. (cancelled)

40. (cancelled)

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1. 41. (currently amended) A corpectomy device, comprising a first member having a longitudinal axis and a second member, the first member and the second member being engageable to spinal vertebrae, and moveable with respect to one another in an axial direction; ~~and moveable with respect to one another in an axial direction;~~ and a locking clip ^{rotatably} ~~rotably~~ mounted on the first member and moveable between a first unlocked position for allowing the first member and the second member to controllably move in the axial direction with respect to one another, and a second locked position in which the locking clip engages the second member

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